



FAIRFAX COUNTY

STAFF REPORT

V I R G I N I A

PROPOSED ZONING ORDINANCE AMENDMENT

Commercial Revitalization District/Area Off-Street Parking

PUBLIC HEARING DATES

Planning Commission

March 20, 2003 at 8:15 PM

Board of Supervisors

April 28, 2003 at 3:30 PM

**PREPARED BY
ZONING ADMINISTRATION DIVISION
DEPARTMENT OF PLANNING AND ZONING
(703) 324-1314**

February 10, 2003

SME



Americans With Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice.
For additional information call (703) 324-1334.

STAFF COMMENT

The proposed Zoning Ordinance amendment is in response to a request by the Board of Supervisors (Board) and is included on the Priority 1 list of the 2002 Zoning Ordinance Amendment Work Program. The proposed amendment modifies the existing off-street parking requirements for non-residential uses in the Commercial Revitalization Districts (CRDs) by deleting the automatic 20 percent reduction and by allowing the Board to approve a 20 percent reduction when an applicant has demonstrated that such reduction is in furtherance of the goals for the CRDs as set forth in the adopted Comprehensive Plan. The proposed amendment also provides for such reduction in the two Commercial Revitalization Areas (CRAs) of Merrifield and Lake Anne. While this amendment was prompted by the McLean CRD, staff believes the proposed change may be beneficial to each of the five CRDs and the two CRAs, and, as such, the amendment is proposed to be applicable to all CRDs and CRAs.

The existing off-street parking requirements for non-residential uses in the CRDs allow for an automatic 20 percent reduction. When the CRDs were established in October 1998, the 20 percent reduction for non-residential uses was included as an incentive to enhance opportunities for development and redevelopment, to revitalize existing businesses in these districts, to entice new businesses to relocate to the CRDs, and to recognize site constraints which could prohibit compliance with the current parking requirements. At the time the CRDs were established, it was noted that as experience was gained within the CRDs, modifications to the Zoning Ordinance might become apparent and additional customizing might be proposed for consideration. Since 1998, certain County recognized CRD organizations believe that while the automatic 20 percent reduction is a significant incentive, it has not had its intended purpose. Within the McLean CRD, for instance, it is believed that the 20 percent automatic reduction has been used to reduce the parking requirement for shopping centers that simply wish to change the mix of existing tenants to promote more intensive uses, rather than taking any steps to improve aging infrastructure or provide other features to promote the goals of the CRD.

As a way to address this concern, it is proposed that the automatic parking reduction be replaced with a provision allowing a reduction to be approved by the Board when it is demonstrated that such reduction is in furtherance of the goals of the CRDs, as set forth in the adopted Comprehensive Plan. Such CRD goals can range from having the use itself locate in the district to updating and/or providing streetscape features, landscaping or underground utilities, which depending on the specific CRD might be appropriate in exchange for a parking reduction. In lieu of including this reduction as part of the Category 6 special exception use which allows certain modifications of regulations within CRDs, it is recommended that this reduction be considered by the Board as an action item, although a request could be considered in conjunction with a rezoning or special exception application. This is consistent with other existing Zoning Ordinance provisions which allow the Board to approve parking reductions for shared parking or hotels in proximity to an airport. In addition, no fee would be required and the Department of Planning and Zoning would be responsible for the staff review and recommendation on such requests. Staff believes that this approach will still provide for a flexible streamlined process,

which is one of the tenets of the CRD program, while allowing a review process oriented to facilitating the goals of a CRD. It is believed that the proposed change from an automatic parking reduction to a Board approved reduction, when it is demonstrated that such reduction is in furtherance of the goals of the CRDs, will provide the Board the authority to examine site-specific conditions and determine when a parking reduction is deemed appropriate to enhance revitalization in those districts. While there is currently no automatic parking reduction provision in the two CRAs, it is believed that this flexibility could also promote the goals of the CRAs as set forth in the adopted Comprehensive Plan and, as such, it is recommended that the reduction also be applicable in the CRAs.

In summary, staff believes that the proposed modification to the CRD minimum off-street parking provisions for non-residential uses and the provision of a reduction in the CRAs may aid in achieving the revitalization goals of the CRDs and CRAs. The amendment has been coordinated with the County's recognized revitalization organizations. Staff recommends adoption of the proposed amendment to the Zoning Ordinance, as advertised, with an effective date of 12:01 AM on the day following adoption.

PROPOSED AMENDMENT

This proposed Zoning Ordinance amendment is based on the Zoning Ordinance in effect as of February 10, 2003 and there may be other proposed amendments which may affect some of the numbering, order or text arrangement of the paragraphs or sections set forth in this amendment, which other amendments may be adopted prior to action on this amendment. In such event, any necessary renumbering or editorial revisions caused by the adoption of any Zoning Ordinance amendments by the Board of Supervisors prior to the date of adoption of this amendment will be administratively incorporated by the Clerk in the printed version of this amendment following Board adoption.

Amend Article 11, Off-Street Parking and Loading, Private Streets, Part 1, Off-Street Parking, Sect. 11-102, General Provisions, by adding a new Par. 28 to read as follows:

28. The minimum off-street parking requirements for any non-residential use within a Commercial Revitalization Area may be reduced by twenty (20) percent by the Board when it is demonstrated by the applicant and determined by the Board that such reduction is in furtherance of the goals of the Commercial Revitalization Area as set forth in the adopted comprehensive plan. Such request may also be considered in conjunction with a rezoning and/or special exception application. The fee for a parking reduction set forth in Sect. 17-109 shall not be applicable.

Amend Appendix 7, Commercial Revitalization Districts, Part 1, Annandale Commercial Revitalization District, Part 2, Bailey's Crossroads/Seven Corners Commercial Revitalization District, Part 3, McLean Commercial Revitalization District, Part 4, Richmond Highway Commercial Revitalization District, and Part 5, Springfield Commercial Revitalization District, Sections A7-109, A7-209, A7-309, A7-409, A7-509, Additional Provisions, by revising Par. 3A, to read as follows:

3. The off-street parking, loading and private street requirements of Article 11 shall apply, except as set forth below.

A. ~~Notwithstanding the provisions of Article 11,~~ The minimum off-street parking requirements for all any non-residential uses shall may be reduced by twenty (20) percent by the Board when it is demonstrated by the applicant and determined by the Board that such reduction is in furtherance of the goals of the Commercial Revitalization District as set forth in the adopted comprehensive plan. Such request may also be considered in conjunction with a rezoning and/or special exception application. The fee for a parking reduction set forth in Sect. 17-109 shall not be applicable.

